

UNITED STATES SMALL BUSINESS ADMINISTRATION
409 THIRD STREET, S.W.
WASHINGTON, D.C. 20416

April 30, 2014

The Honorable Shira A. Scheindlin
U.S. District Court Judge
United States District Court
for the Southern District of New York
500 Pearl Street, Room 1620
New York, New York 10007

Via facsimile to: 212-805-7920

Re: Civil Case No. 11-cv-1769 (SAS)
United States of America v. Merchants Capital Partners, LP
Request for Waiver of Pre-Motion Conference

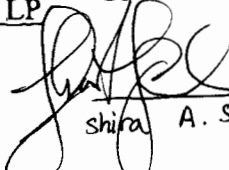
Request granted. The Pre-Motion Conference requirement is waived and the Receiver may move the Court for an Order Approving the Procedures for winding up and Terminating the Receivership Estate and Discharging the Receiver.

SO ORDERED

Dear Judge Scheindlin:

I am writing as lead counsel for the United States Small Business Administration ("SBA") as the court appointed Receiver ("Receiver") of Merchants Capital Partners, L.P. ("Merchants"). On behalf of the Receiver, I am respectfully requesting that Your Honor's Pre-Motion Conference requirement as set forth in Your Honor's Individual Practices Rule IV(A) be waived and that the Receiver be allowed to move this Court for an Order Approving the Procedures for Winding Up and Terminating the Receivership Estate and Discharging the Receiver. The procedures are the steps the Receiver believes are necessary to close the case. If the Court approves the procedures, the Receiver will close the estate and file a Final Receiver's Report with this Court.

The intended motion is unopposed and is ministerial in nature. For these reasons, the Receiver requests waiver of the Pre-Motion Conference and approval for filing the Receiver's Motion for an Order Approving the Procedures for Winding Up and Terminating the Receivership Estate and Discharging the Receiver. I am available to answer any inquiry the Court may have and can be reached via telephone at (202) 205-6976 or via email at arlene.embrey@sba.gov.


Shira A. Scheindlin,
U.S.D.J.
5/1/14

Respectfully yours,
U.S. Small Business Administration as
Receiver for Merchants Capital Partners, L.P.

Arlene M. Embrey
Trial Attorney

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